

2013 Meeting

International Political Science Association
RC 09 (Comparative Judicial Studies)

The Changing Nature of Judicial Power in Supranational, Federal, and Domestic Systems

Dublin, Ireland
July 22-24, 2013

Host and Organizer: Adam McAuley, Dublin City University, Ireland

RC09 Convenor: Daniela Piana, University of Bologna, Italy

RC09 Treasurer: Tony Smith, University of California, United States

Conference Location

The conference will be held in the [Bedford Hall Suite](#) of Dublin Castle. Dublin Castle is situated in the very heart of Dublin City, on the south side of the River Liffey, off Dame Street, en route from Trinity College to Christchurch Cathedral.

Registration Fee: 150 EURO (100 for students)

Monday, July 22, 2013

4:30 – 6:30 Registration and Opening Reception

Tuesday, July 23, 2013

Room: Bedford Hall Suite, Dublin Castle

9:00 – 11:30 Rights and Institutions in Australia and New Zealand

Chair **Adam McAuley** (Dublin City University)

Papers **Janet Hiebert** (Queen's University, Kingston Canada) – *Legislative Rights Review in a Westminster Parliamentary System: The Challenges for Compliance*

James Kelly (Concordia University, Canada) – *Is Proportional Representation Problematic for Parliamentary Bills of Rights? The New Zealand Bill of Rights Act and MMP*

Rhonda Evans Case (The University of Texas at Austin) and **Sean Fern** (The University of Texas at Austin) – *A New Zealand Supreme Court Bar? Legal Elites, Agenda-Setting, and Institutional Change*

Brian Galligan (The University of Melbourne) – *Immigration Federalism in Australia*

10:30 – 10:45 Coffee Break

11:00 – 12:30 Courts and Lawyers in Latin America

Chair **Lydia Tiede** (Rice University, USA)

Papers **Amalia Mena-Mora** (University of Houston) – *Variations in State Court Independence in Mexico*

Azul Aguiar (ITESO, Mexico) and **Ligia Madeira** (Universidade Federal do Rio Grande do Sul, Brazil) – *Enforcing the protection of human rights at the state level. The case of Brazil and Mexico*

Walter F. Carnota (University of Buenos Aires) – *Diffusion and Borrowing Judges in Argentina and in the U.S.*

Alberto Merino (Queen Mary, University of London) – *Gradual Institutional Change: The Case of the Chilean Judiciary*

12:30 – 1:45 Lunch

- 2:00 – 3:30** **Courts and Lawyers in Brazil**
 Chair **Jodi Finkel** (Loyola Marymount University, USA)
- Papers **Andrés del Río** (Instituto de Estudos Sociais e Políticos IESP-UERJ) – *Dictatorship, democracy and Transitional Justice in Brazil: Trajectories and legacies of the Supreme Federal Court.*
- Luis Felipe Andrade Barbosa** (UFPE, Brazil), **Ernani Carvalho** (UFPE, Brazil), and **José Mário Wanderley Gomes Neto** (UNICAP/UFPE, Brazil) – *The Brazilian Bar Association and its Atypical Institutional Prerogatives in the Judicial Review Arena*
- Emerson Francisco de Assis** (Associação Caruaruense de Ensino Superior – ASCES) and **Faculdade Raimundo Marinho de Penedo** – *Political Influences On Ineffectiveness of the Gomes Lund Case Decision: The Inter-American Court of Human Rights vs. Brazil*
- Lígia Mori Madeira** (Universidade Federal do Rio Grande do Sul, Brazil) – *Federalism, institutionalization of human rights policies and actions of the criminal justice system in Brazil after democratization*
- 3:30 – 3:45** **Coffee Break**
- 4:00 – 5:30** **Lawyers and Judges**
 Chair **Patrick O'Brien** (University College London)
- Papers **Simone Benvenuti**, (University of Rome La Sapienza) – *Judicial training and socialization through networking in the EU*
- Noreen O'Meara** (Queen Mary, University of London) – *Harnessing Judicial Power in Transnational Context: The Dynamics of Judge-Led Networks*
- Gerald Baier** (University of British Columbia, Canada) – *Judicial career influences on a high court: the Case of Canada*
- Erin Delaney** – *Through a Glass Darkly: Institutional Design and Judicial Power in the United Kingdom*
- Yoav Dotan** (Hebrew University, Jerusalem) – *Government Lawyers in Transformative Litigation*
- Rachel L. Ellett** (Beloit College, USA) and **Tererai R. Mafukidze** (Advocate of the High Court of SA and Zimbabwe and African Legal Information Institute, South Africa) – *Transformative Litigation Importing Justice? The Politics of Expatriate Judicial Appointments in Southern Africa*
- 7:00** **Conference Dinner**

Wednesday, July 24, 2013

Room: Bedford Hall Suite, Dublin Castle

9:00 – 10:30 Constitutional Boundaries and Contestation I

Chair **Mary Volcansek** (Texas Christian University, USA)

Papers **Robert Hazell** (University College London) – *Judges and the Executive in Britain: an Unequal Partnership?*

Rainer Schmidt (Visiting Professor of the German Academic Exchange Organisation/DAAD at the University of São Paulo/USP) – *Supreme Court and Domestic Politics the Limits of Constitutions*

Michael C. Tolley (Northeastern University) – *Enforcing Constitutional Federalism: Comparative Perspectives on the Anti-commandeering and Anti-coercion Doctrines in U.S. Constitutional Law*

Kyela Leakey (University of Glasgow) – *Chief Justices as Accountable Leaders in Africa*

Adam McAuley (Dublin City University) – *Constitutional renegotiation of judicial & executive relationship in Ireland –*

10:30 – 10:45 Coffee Break

11:00 – 12:30 Constitutional Boundaries and Contestation II

Chair **Michael Tolley** (Northeastern University, USA)

Papers **Mary Volcansek** (Texas Christian University, USA) and **Charles Lockhart** (Texas Christian University, USA) – *Trias Politicas, Demographics and Support for Human Rights in Liberal Democracies*

Nicole Scicluna (La Trobe University, Australia) and **Raul A. Sanchez Urribarri** (La Trobe University, Australia) – *Ruling Europe from the Bench: Assessing the German Constitutional Court's ESMT Ruling*

Samantha Gassie – *National Court Compliance with the European Court of Justice*

David Kosar (Masaryk University/VSMIE, Hungary) and **Lucas Lixinski** (University of New South Wales) – *The Judicial Design Agendas of Regional Human Rights Courts: A Comparative Study of the Inter-American and European Courts*

Wayne Sandholtz (University of Southern California) – *Global Rights, National Courts*

12:30 – 1:45 Lunch and RC09 Business Meeting

2:00 – 3:30 Constitutional Boundaries and Contestation III

Chair **James Kelly** (Concordia University, Canada)

Papers **Menachem Hofnung** (The Hebrew University of Jerusalem) – *The Price of Information Gathering: Intelligence Informers in the Israeli High court of Justice*

Judithanne Scourfield McLauchlan (University of South Florida) – *The Impact of Decisions of the European Court of Human Rights on Legal and Judicial Reform in the Republic of Moldova*

Marny Requa (Queen’s University Belfast) – *Counter-Terrorism, the Courts and ‘Just-World’ Decision-Making*

Patrick O’Brien (University College London) – *Judicial Independence across three and half jurisdictions*

Peter Pazmany (Catholic University, Hungary) and **Amarilla Kiss** (Catholic University, Hungary) – *The Operational Aspects of a Possible Legal Forum Competent in the Crime of Maritime Violence*

3:30 -3:45 Coffee Break

2:00 – 3:30 Constitutional Review

Chair **Judithanne Scourfield McLauchlan** (University of South Florida)

Papers **Mahmoud Hamad** (Cairo University and Drake University) – *Judicialization of Politics in Egypt's Second Republic*

Greg Goelzhauser (Utah State University) – *Constitutional Review and the Limits of Judicial Power*

William Myers (University of Tampa) and **Reginald Sheehan** (Michigan State University) – *Judicial Review and the Impact of Institutional Design on High Court Decision Making*

Matej Accetto – *The Uneasy Choice of Slippery Slopes: Towards Greater Judicial Federalization or Nationalization of EU Law?*

Dagmar Soennecken (York University, Canada) – *Bringing in the Feds? Comparative lessons from Germany's experience with immigration federalism*